

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JONATHAN GADRA-LORD,
Plaintiff

v.

DAVID VARANO,
Defendant

:
: No. 1:12-cv-02426
:
: (Judge Kane)
:
: (Chief Magistrate Judge Carlson)
:

ORDER

AND NOW, this 17th day of April 2014, **IT IS HEREBY ORDERED THAT** Magistrate Judge Carlson's Report and Recommendation (Doc. No. 26) is **ADOPTED IN PART** as follows:

- 1) Defendants' motion to dismiss (Doc. No. 22) is **GRANTED**;
- 2) Plaintiff's Fourth Amendment claims, access to courts claims, and all Eight Amendment verbal harassment claims are **DISMISSED WITH PREJUDICE**;
- 3) Plaintiff's claim arising out of his substantive due process right to privacy in his medical information is **DISMISSED WITHOUT PREJUDICE**;
- 4) Plaintiff's other due process claims are **DISMISSED WITH PREJUDICE**;
- 5) Plaintiff's Eighth Amendment excessive force, deliberate indifference and retaliation claims are **DISMISSED WITHOUT PREJUDICE**;
- 6) Plaintiff may file an amended complaint as to his Eighth Amendment excessive force, deliberate indifference, retaliation and substantive due process right to medical privacy claims within twenty days of the date of this order. If Plaintiff does not do so, the Court will instead treat his amended complaint of January 22, 2014 (Doc. No. 28), as his all-inclusive amended complaint; and
- 7) The case is referred to Magistrate Judge Carlson for further pre-trial management.

S/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania